

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Nicholas BARDEN et al.

Title: MEANS AND METHODS FOR DIAGNOSING AND TREATING
AFFECTIVE DISORDERS

Appl. No.: 10/825,593

Filing Date: 04/16/2004

Examiner: Unassigned

Art Unit: 1645

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

RELEVANCE OF EACH DOCUMENT

Document C1 listed on the attached PTO/SB/08 came to the Applicants' attention when doing a search in connection with the patentability of the claims.

Documents C2 – C7 listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding International application, PCT/EP2004/004076. Copies of the documents are not being provided since copies should have been provided directly by WIPO under an exchange program between the PTO, the EPO and the JPO. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached. The remaining documents cited in the attached International Search Report but not listed on the PTO/SB/08 submitted herewith were previously cited by the Applicants in the Information Disclosure Statements filed August 11, 2004 and November 8, 2004.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.704(d) that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR §1.56(c) more than thirty days prior to the filing of the information disclosure statement.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date January 14, 2005 By Richard (Peet)

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Substitute for RIN 71449R
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

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of

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Complete if Known

Application Number	10/825,593
Filing Date	04/16/2004
First Named Inventor	Nicholas BARDEN
Group Art Unit	1645
Examiner Name	Unassigned
Attorney Docket Number	028622-0130

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	C1	2004/0229262	A1	FRANCO et al.	11-18-2004	
	C2	6,214,581	B1	LYNCH et al.	04-10-2001	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	C3	WO	99/55901	A	ABBOTT LABORATORIES	11-04-1999		
	C4	WO	01/44213	A	BAXTER et al.	06-21-2001		
	C5	WO	03/042190	A	PFIZER PRODUCTS INC.	05-22-2003		

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	C6	NORTH et al., "Pharmacology of cloned P2X receptors," <u>Annual Review of Pharmacology and Toxicology</u> , 2000, pp. 563-580, Vol. 40	
	C7	Database EMBL, 14 May 1999, XP002284283, Database accession no. AC007546	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.